

EXHIBIT 1

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Approved, SCAO

Original - Court
1st copy - Defendant2nd copy - Plaintiff
3rd copy - Return

STATE OF MICHIGAN

JUDICIAL DISTRICT
6th JUDICIAL CIRCUIT
COUNTY PROBATE

SUMMONS

CASE NO.
2022-194048-NO
22-
JUDGE EDWARD SOSNICK

Court address

1200 N. Telegraph Rd., Dept. 404, Pontiac, MI 48341

Court telephone no.

248-858-0344

Plaintiff's name(s), address(es), and telephone no(s).

MELANIE FLOYD

Defendant's name(s), address(es), and telephone no(s).

Defendant: TARGET CORPORATION

v

Plaintiff's attorney, bar no., address, and telephone no.

KRALL LAW OFFICES, PLLC

Thomas G. Krall (P75303)

26640 Harper Ave.

St. Clair Shores, MI 48081

(586) 299-1300

This case has been designated as an
eFiling case, for more information
please visit www.oakgov.com/efiling.

Instructions: Check the items below that apply to you and provide any required information. Submit this form to the court clerk along with your complaint and, if necessary, a case inventory addendum (form MC 21). The summons section will be completed by the court clerk.

Domestic Relations Case

- ☐ There are no pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.
- ☐ There is one or more pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint. I have separately filed a completed confidential case inventory (form MC 21) listing those cases.
- ☐ It is unknown if there are pending or resolved cases within the jurisdiction of the family division of the circuit court involving the family or family members of the person(s) who are the subject of the complaint.

Civil Case

- ☐ This is a business case in which all or part of the action includes a business or commercial dispute under MCL 600.8035.
- ☐ MDHHS and a contracted health plan may have a right to recover expenses in this case. I certify that notice and a copy of the complaint will be provided to MDHHS and (if applicable) the contracted health plan in accordance with MCL 400.106(4).
- ☒ There is no other pending or resolved civil action arising out of the same transaction or occurrence as alleged in the complaint.
- ☐ A civil action between these parties or other parties arising out of the transaction or occurrence alleged in the complaint has

been previously filed in ☐ this court, ☐ _____ Court, where

it was given case number _____ and assigned to Judge _____.

The action ☐ remains ☐ is no longer pending.

Summons section completed by court clerk.

SUMMONS**NOTICE TO THE DEFENDANT:** In the name of the people of the State of Michigan you are notified:

1. You are being sued.
2. **YOU HAVE 21 DAYS** after receiving this summons and a copy of the complaint to **file a written answer with the court** and serve a copy on the other party or **take other lawful action with the court** (28 days if you were served by mail or you were served outside this state).
3. If you do not answer or take other action within the time allowed, judgment may be entered against you for the relief demanded in the complaint.
4. If you require special accommodations to use the court because of a disability or if you require a foreign language interpreter to help you fully participate in court proceedings, please contact the court immediately to make arrangements.

Issue date

5/10/2022

Expiration date*

08/09/2022

Court clerk

Lisa Brown

*This summons is invalid unless served on or before its expiration date. This document must be sealed by the seal of the court.

MELANIE FLOYD
6TH CIRCUIT COURT

PROOF OF SERVICE**SUMMONS**

Case No. 22-

-NO

TO PROCESS SERVER: You are to serve the summons and complaint not later than 91 days from the date of filing or the date of expiration on the order for second summons. You must make and file your return with the court clerk. If you are unable to complete service you must return this original and all copies to the court clerk.

CERTIFICATE / AFFIDAVIT OF SERVICE / NONSERVICE☐ **OFFICER CERTIFICATE**

OR

☐ **AFFIDAVIT OF PROCESS SERVER**

I certify that I am a sheriff, deputy sheriff, bailiff, appointed court officer, or attorney for a party (MCR 2.104[A][2]), and that: (notarization not required)

Being first duly sworn, I state that I am a legally competent adult, and I am not a party or an officer of a corporate party (MCR 2.103[A]), and that: (notarization required)

- ☐ I served personally a copy of the summons and complaint,
☐ I served by registered or certified mail (copy of return receipt attached) a copy of the summons and complaint,

together with _____

List all documents served with the summons and complaint

_____ on the defendant(s):

Defendant's name	Complete address(es) of service	Day, date, time
TARGET CORPORATION	30020 Grand River Ave Farmington Hills, MI 48336	

- ☐ I have personally attempted to serve the summons and complaint, together with any attachments, on the following defendant(s) and have been unable to complete service.

Defendant's name	Complete address(es) of service	Day, date, time

I declare under the penalties of perjury that this proof of service has been examined by me and that its contents are true to the best of my information, knowledge, and belief.

Service fee	Miles traveled	Fee	
\$		\$	
Incorrect address fee	Miles traveled	Fee	TOTAL FEE
\$		\$	\$

Signature _____

Name (type or print) _____

Title _____

Subscribed and sworn to before me on _____, _____ County, Michigan.
 Date

My commission expires: _____ Signature: _____
 Date Deputy court clerk/Notary public

Notary public, State of Michigan, County of _____

ACKNOWLEDGMENT OF SERVICE

I acknowledge that I have received service of the summons and complaint, together with _____
 Attachments

_____ on _____
 Day, date, time

Signature _____ on behalf of _____

This case has been designated as an eFiling case, for more information please visit
www.oakgov.com/efiling.

**STATE OF MICHIGAN
IN THE 6th CIRCUIT COURT FOR THE COUNTY OF OAKLAND**

MELANIE FLOYD
Plaintiff,

v.

TARGET CORPORATION,
Defendant.

2022-194048-NO
Case No: 22- -NO
HON.
JUDGE EDWARD SOSNICK

THOMAS G. KRALL (P75303)
KRALL LAW OFFICES, PLLC
Attorney for Plaintiff
26640 Harper Ave.
St. Clair Shores, MI 48080
(586) 299-1300
tom@gokralllaw.com

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this Complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any civil action, not between these parties arising out of the same transaction or occurrence as alleged in this Complaint that is either pending or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this Court.

/s/ Thomas G. Krall
THOMAS G. KRALL (P75303)
KRALL LAW OFFICES, PLLC

COMPLAINT

NOW COMES Plaintiff, MELANIE FLOYD, by and through counsel, KRALL LAW OFFICES, PLLC, and for her Complaint against Defendant, TARGET, states as follows:

JURISDICTION

1. Defendant, TARGET, is a foreign profit corporation and does business in the County of OAKLAND, State of Michigan.
2. Plaintiff, MELANIE FLOYD is an individual that resides in the County of OAKLAND, Michigan.
3. The events giving rise to this cause of action occurred within OAKLAND County, Michigan.
5. The amount in controversy is greater than \$25,000.00.

COMMON ALLEGATIONS

6. Defendant, TARGET, was responsible for maintaining their retail store located at 30020 Grand River Ave, Farmington Hills, MI 48336-4722.
7. Defendant, TARGET, and its agents were obligated to remove any items that would create a tripping hazard from its floor.
8. On or around October 25, 2021, a display was placed at an angle that caused an out of sight trip hazard in the walkway. Plaintiff tripped over this out of sight edge of the display and fell and broke her wrist.
9. After a reasonable amount of time, the display was not removed from the floor nor was any type of warning provided regarding the hazard. Due to Defendant TARGET's failed to fulfill their duties to remove the trip hazard or warn customers of same, Plaintiff was injured.
10. Defendant, knew or should have known that the placing of the display in that spot would create a trip and fall hazard to their customers and invitees.
11. The Defendant failed to place a sign warning Plaintiff or other customers of the trip and fall hazard.
12. The display that was placed on the Defendant's floor was unavoidable and Plaintiff MELANIE FLOYD tripped and fell resulting in serious and permanent injuries.

COUNT I: NEGLIGENCE

13. Plaintiff incorporates by reference all allegations contained in 1-12.
14. The negligence of Defendants TARGET, consists of, among other things, the following acts or omissions:
 - a. TARGET, failed to timely remove, eliminate, or warn customers to avoid the display and that it created a trip and fall hazard.
 - b. TARGET, failed to provide a safer walkway than the spot upon which Plaintiff fell.
 - d. Failing to provide a reasonably safe surface on which to walk.
 - e. Failing to timely and adequately inspect the area so as to eliminate hazards and dangerous conditions.
 - f. Failing to timely remove or eliminate the hazardous and unsafe condition and/or warn Plaintiff of the same.
15. As a direct and proximate result of the Defendant's carelessness and negligence, Plaintiff

MELANIE FLOYD, sustained severe, painful, and disabling injuries, including but limited to: a fractured wrist.

16. As a result of these injuries, Plaintiff MELANIE FLOYD has suffered great pain, both physical and emotional.

20. Plaintiff, MELANIE FLOYD has further required medical care and may incur additional medical expenses into the future.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands a judgment against Defendant, in whatever amount in excess of \$25,000.00 to which they are found to be entitled, plus costs, interest and reasonable attorney fees, and such other and further relief as the Court may deem just and equitable.

Dated: May 10, 2022

/s/ Thomas G. Krall

THOMAS G. KRALL (P75303)
KRALL LAW OFFICES, PLLC

KRALL LAW OFFICES, PLLC

ATTORNEYS & COUNSELORS

26640 HARPER AVENUE, SAINT CLAIR SHORES, MI 48081 • (586) 299-1300

STATE OF MICHIGAN
IN THE 6th CIRCUIT COURT FOR THE COUNTY OF OAKLAND

2022-194048-NO

MELANIE FLOYD,
Plaintiff,

Case No: 22- -NO
HON.

v.

JUDGE EDWARD SOSNICK

TARGET CORPORATION,
Defendant.

THOMAS G. KRALL (P75303)
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Attorney for Plaintiff
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tom@gokralllaw.com

JURY DEMAND

NOW COMES Plaintiff, MELANIE FLOYD, by and through her attorneys, KRALL LAW OFFICES, PLLC and hereby demands a trial by jury to hear all claims.

Dated: May 10, 2022

/s/ Thomas G. Krall

THOMAS G. KRALL (P75303)
KRALL LAW OFFICES, PLLC